(9)

No. 97-215-CFH
Status: GRANTED
CAPITAL CASE

Title: Arthur Calderon, Warden, Petitioner
v.
Thomas Thompson

Docketed:
August 4, 1997

Court: United States Court of Appeals for the Ninth Circuit

Counsel for petitioner: Wilkens,Holly

Counsel for respondent: Long,Gregory, Love,Andrew S.

Entry	Date	Note	Proceedings and Orders
1	Aug 4 1997	G	Petition for writ of certiorari filed. (Response due September 3, 1997)
2	Aug 4 1997		Petition GRANTED. The motion of petitioner to proceed with 8 1/2 by 11 inch paper is granted. The motion of petitioner to expedite consideration is granted. The petition for a writ of mandamus is denied. Treating the papers as a petition for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit, certiorari is granted limited to Questions 1 and 2 presented by the petititon. SET FOR ARGUMENT December 9, 1997. **********
3	Aug 26 1997		The order granting the petition for a writ of certiorari is amended to read as follows: In addition, the parties are directed to brief and argue the following question: Did the Ninth Circuit, sitting en banc, err in concluding that the three-judge panel "committed fundamental errors of law that would result in manifest injustice" sufficient to justify recalling the mandate.?
4	Sep 18 1997		Joint appendix filed.
5	Sep 18 1997		Brief of petitioner Arthur Calderon, Warden filed.
6	Sep 18 1997		Brief amici curiae of Arizona, et al. filed.
7	Sep 18 1997	G	Motion of Criminal Justice Legal Foundation for leave to file a brief as amicus curiae filed.
8	Oct 14 1997		Motion of Criminal Justice Legal Foundation for leave to file a brief as amicus curiae GRANTED.
10	Oct 16 1997		Order extending time to file brief of respondent on the merits until October 24, 1997.
11	Oct 23 1997	G	Motion of respondent for leave to proceed further herein in forma pauperis filed.
12	Oct 24 1997		Brief of respondent Thomas Thompson filed.
13	Oct 24 1997		Brief amicus curiae of National Association of Criminal Defense Lawyers filed.
14	Oct 27 1997		DISTRIBUTED. October 31, 1997 (Page 22)
16	Oct 31 1997		CIRCULATED.
15	Nov 3 1997		Motion of respondent for leave to proceed further herein in forma pauperis GRANTED.
17	Nov 17 1997	X	Reply brief of petitioner Arthur Calderon, Warden filed.
18	Nov 18 1997		Record filed.
		*	Record proceedings U.S. Court of Appeals for the Ninth Circuit (1 box).
19	Nov 19 1997		Record filed.

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Entry	Date	Note	Proceedings and Orders
		*	Record proceedings U.S. Court of Appeals for the Ninth Circuit (1 volume).
20	Nov 20 1997	G	Motion of respondent Thomas M. Thompson for appointment of counsel filed.
21	Dec 1 1997		DISTRIBUTED. December 1, 1997 (Page 13)
22	Dec 8 1997		Motion for appointment of counsel GRANTED and it is ordered that Andrew S. Love, Esquire, of San Francisco, California, is appointed to serve as counsel for the respondent Thomas M. Thompson in this case.
23	Dec 9 1997		ARGUED.